

REMARKS

Claims 1-4 and 6-16 are pending in this application. Claim 1 is independent.

Interview

Applicants wish to thank the Examiner and the primary examiner for conducting the interview on August 27, 2003. It is believed that as a result of the interview, the Examiner has a better understanding of the invention and important features thereof.

Claim Rejection – 35 USC 103; Fitzpatrick, Mori

Claims 1-4, 11-13, 15, and 16 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Fitzpatrick et al. (U.S. Patent 5,420,936, hereinafter Fitzpatrick) in view of Mori et al. (U.S. Patent 5,040,142, hereinafter Mori). Applicants respectfully traverse this rejection.

The present claimed invention is directed to entry of a fingerprint and a secret number for purposes of authentication. In particular, upon designating coordinates on a display screen, both a fingerprint and a secret number are acquired. An example coordinate designating means is shown in Figure 7, where area 72 serves both as an area for inputting a secret number and as an area for inputting a fingerprint.

Thus, claim 1 recites, among other things, “coordinate designating means for designating coordinates related to fingerprint reading on the display surface; secret number acquiring means for acquiring a secret number based on said designated coordinates.”

The Office Action relies on Fitzpatrick for teaching a coordinate designating means and alleges that window 143 of Mori teaches the secret number acquiring means. However, Applicants do not agree that Mori teaches at least the claimed “secret number acquiring means for acquiring a secret number based on said designated coordinates.”

Fitzpatrick teaches fingerprint recognition as an alternative to password entry (Figure 3 versus Figure 2). The fingerprint is taught as being associated to an icon (per-icon access; col. 4, lines 18-21), which grants access to an associated process. As mentioned above, the claimed invention is directed to designated coordinates at which both a fingerprint and a secret number are acquired.

Mori teaches conventional password entry in a window. In particular, Mori discloses a display (e.g., Figure 4) for the workstation that displays the contents of an electronic document which has been received from another workstation and includes a window 143 provided for inputting a password assigned to each user so as to read out registered seal image data (Mori: column 5, lines 8-10). Upon displaying the window 143, the user inputs a password and if the password is coincident with a registered seal image, the registered seal image data is read into a work area 12D.

Applicants submit that, 1) the password in Mori is not acquired based on coordinates of the window; 2) Mori’s password is not limited to a secret number; and 3) Coordinates in Mori are not related to fingerprint reading (also, claims 15, 16).

Based on these discrepancies, Applicants submit that Fitzpatrick and Mori, either alone or in combination, fail to teach each and every claimed element.

In addition, Applicants submit that the motivation statement presented in the rejection is based on impermissible hindsight. The motivation statement that, "It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize a secret number acquiring means as taught by Mori in order to ... as well as integrating the fingerprint capturing and secret number acquiring into one device," is based on Applicants' own disclosure. Neither Fitzpatrick and Mori disclose integration of fingerprint capturing and secret number acquiring into one device. Accordingly, Applicants submit that the rejection fails to establish *prima facie* obviousness, and respectfully request that the rejection be withdrawn.

Claim Rejection – 35 U.S.C. 103: Fitzpatrick, Mori, and Matsumura

Claim 6 has been rejected under 35 U.S.C. 103 as being unpatentable over Fitzpatrick and Mori, and further in view of Matsumura (U.S. Patent 5,493,621). Applicants respectfully traverse this rejection.

Matsumura

Matsumura is directed to a fingerprint ID system. In the course of registering a fingerprint, a password can be input as an index of the registered fingerprint data. In the matching process, the password is input and then the finger is examined by placing it on the image input device (Matsumura: column 11, lines 44-50).

Differences over Matsumura

Similar to Mori, Matsumura's password is also not based on a designated coordinate and the designated coordinate is not related to fingerprint reading. Thus, Applicants submit that Matsumura does not make up for the deficiency in Mori. Therefore, Applicants submit that Fitzpatrick, Mori and Matsumura, either alone or in combination, fail to teach each and every claimed element of claim 6. Accordingly, Applicants respectfully request that the rejection be withdrawn.

Claim Rejection – 35 U.S.C. 103: Fitzpatrick, Mori and Angelo

Claim 7 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Fitzpatrick, Mori and Angelo (U.S. Patent 5,887,131). Applicants respectfully traverse this rejection.

At least for the same reason as above for claim 1, Fitzpatrick, Mori and Angelo fail to teach all claimed elements of claim 7. Further, with respect to claim 7, Angelo is relied on for teaching the claimed operation of a power source when there is a match in fingerprint. Angelo does appear to teach access control to a computer system, as well as scanning of a fingerprint. However, Applicants note that Angelo teaches a plain text access control algorithm based on a password. As an alternative, a scanned fingerprint could be converted into a plain text password value (Angelo: column 7, lines 28-32).

The Examiner further argues that since Angelo's plain text password was created from a fingerprint, a match in plain text passwords indicates a match in fingerprint. Applicants disagree.

Applicants submit that just because there is a match in plain text doesn't necessarily mean that there is a match in fingerprints. Thus, Applicants maintain that Angelo, in combination with Fitzpatrick and Mori, does not teach the claimed element of claim 7 and respectfully request that the rejection be withdrawn.

Claim Rejection – 35 U.S.C. 103: Fitzpatrick, Mori and Shieh

Claims 8-10 and 14 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Fitzpatrick, Mori and Shieh (U.S. Patent 5,874,948). Applicants respectfully traverse this rejection.

At least for the same reason as above for claim 1, Fitzpatrick, Mori and Shieh fail to teach all claimed elements of claims 8-10 and 14, as well.

Further with respect to claim 14, Applicants maintain that Shieh fails to disclose execution level associated with a user and execution level of a menu area (See Figures 15 and 17 of present invention). The Examiner appears to allege that Shieh's pre-defined customization features teach the claimed execution level associated with a user. The Examiner also directs Applicants' attention to column 3, lines 19-23, column 5, lines 30-32, and column 6, lines 7-12, for teaching the claimed execution level associated with a menu area. Applicants disagree.

Claim 14 recites that, "when a menu execution level area is designated and there is a match in fingerprint, the control means executes a menu at an execution level associated with an authorized user having the matching fingerprint among execution levels previously set for the respective users, as well as an execution level of the designated menu execution level area." Though Shieh does

appear to disclose display of a pull down menu on a touchscreen, Applicants submit that there is no disclosure of an execution level of a designated menu area in addition to an execution level associated with an authorized user, as recited in the claim. Thus, for at least this addition reason, Applicants submit that Fitzpatrick, Mori and Shieh fail to teach each and every claimed element of claim 14. Applicants respectfully request that the rejection be withdrawn.

CONCLUSION


In view of the above amendments and remarks, reconsideration of the various rejections and allowance of claims 1-4, 6-16 is respectfully requested.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Robert W. Downs (Reg. No. 48,222) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By  #24271
Terrell C. Birch, #19,382

RWD
TCB/RWD/kss
1247-0424P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000